

# Sonnenschein

SONNENSCHN NATH & ROSENTHAL LLP

## Facsimile Transmittal Sheet

DATE • April 11, 2006

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CLIENT/MATTER • 09792909-5242  
FROM • David R. Metzger  
TOTAL NUMBER OF PAGES TRANSMITTED, INCLUDING THIS SHEET: 6  
MESSAGE • Re: U.S. Patent Application No. 09/957,422

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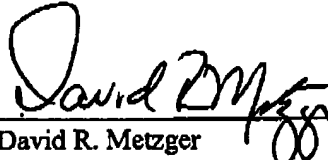
APPLICANT(S): Takayuki Fujioka, et al. ATTY. DOCKET NO.: 09792909-5242  
SERIAL NO.: 09/957,422 GROUP ART UNIT: 2871  
DATE FILED: September 20, 2001 EXAMINER: Unknown  
INVENTION: "DIFFUSING REFLECTOR AND MANUFACTURE OF THE SAME  
AND REFLECTION TYPE DISPLAY APPARATUS"

Attn: Mrs. Robinson Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	I hereby certify that this paper (along with any paper referred to as being attached <b>571-272-4006</b> or enclosed) is being facsimile transmitted to <b>571-272-4006</b> with the United States Postal Service on the date shown below:  Mail Stop Petitions Commissioner For Patents P. O. Box 1450 Alexandria, VA 22313-1450 on: <b>11</b>  Date of Deposit: <b>April 10, 2006</b> <b>Barbara G. Hannon</b> Barbara G. Hannon
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S I R:

Applicants submitted a Petition to Withdraw Abandonment on February 24, 2005.  
This Petition was resubmitted on November 9, 2005 by facsimile transmission. Attached is  
a copy of the Petition, Postcard Receipt and Auto-Reply Facsimile Transmission. To date we  
have not received acknowledgement that this Petition has processed.

Respectfully submitted,

  
David R. Metzger (Reg. No. 32,919)  
SONNENSCHN, NATH & ROSENTHAL  
P.O. Box 061080  
Wacker Drive Station - Sears Tower  
Chicago, IL 60606-1080  
Telephone 312/876-2578  
Customer #26263  
Attorneys for Applicant(s)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PETITION TO WITHDRAW ABANDONMENT**

APPLICANT(S): Takayuki Fujioka, et al. ATTY. DOCKET NO.: 09792909-5242  
SERIAL NO.: 09/957,422 GROUP ART UNIT: 2871  
DATE FILED: September 20, 2001 EXAMINER: Unknown  
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AND REFLECTION TYPE DISPLAY APPARATUS"

Mail Stop Petitions  
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S I R:

In response to the Notice of Abandonment dated January 30, 2004, Applicants petition for withdrawal of the abandonment as erroneous in light of timely filing of a proper response to the Notice to File Corrected Application Papers mailed on October 22, 2001. This Petition is being filed in accordance with 37 C.F.R. §1.181(a).

A Notice to File Corrected Application Papers was mailed on October 22, 2001, in the present application. The Notice set for a shortened statutory period for response, set to expire two months from the mailing date of the Notice.

On November 13, 2001, a Response to Notice to File Corrected Application Papers together with transmittal sheet, a \$130.00, and a self-addressed post card receipt were filed by Certificate of Mailing, copies of which are enclosed.

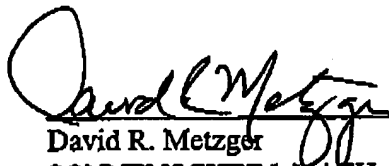
It is noted that this response was filed during the time period that the USPTO and the U.S. Postal Service instituted procedures for decontaminating incoming mail in view of the events surrounding the anthrax contamination of the U.S. postal facility used by the USPTO in Washington, D.C. In view of the fact that applicants cannot locate a stamped, return receipt postcard, applicants submit that it is highly likely that the Response and postcard were destroyed by the decontamination process. This occurred to many documents submitted by counsel during this time period.

Because applicants timely submitted a proper response to the Notice to File Corrected Application Papers, and because the events and procedures instituted in response to the 2001 anthrax contamination were beyond applicants' control, it is submitted that the abandonment was unavoidable.

Accordingly, it is submitted that the Response was timely filed and that withdrawal of the Notice of Abandonment is requested.

The Commissioner is authorized and requested to charge the amount of \$110.00 to cover the required petition fee to American Express Account No. 378571697401002.. Form 2038 is attached. However, a refund is requested if it is found that abandonment of the above application was, in fact, unavoidable and not the fault of applicants or their attorneys. FURTHER, IT IS BELIEVED THAT THIS PETITION IS COMPLIANT WITH THE PROCEDURES SET FORTH FOR DOCUMENTS NOT RECEIVED BY THE USPTO DURING THIS TIME PERIOD IN THE JANUARY 15, 2002, OFFICIAL GAZETTE (COPY ENCLOSED). Also, the Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,

 (Reg. No. 32,919)  
David R. Metzger  
SONNENSCHNEIN, NATH & ROSENTHAL  
P.O. Box 061080  
Wacker Drive Station - Sears Tower  
Chicago, IL 60606-1080  
Telephone 312/876-2578  
Customer #26263  
Attorneys for Applicant(s)

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing Submission of Missing Parts was forwarded to the United States Patent Office via U.S. First Class mail on February 24, 2004.



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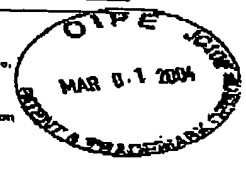
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